

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:17-CV-00195-D

**Cape Fear Public Utility Authority, et
al.,**

Plaintiffs,

v.

**The Chemours Company FC, LLC, et
al.,**

Defendants.

Order

Defendants recently moved for a protective order, asking the court to modify or quash subpoenas that Plaintiffs served on nine individuals. Mot. Protective Order, D.E. 114. Defendants based their motion on the possibility that these nine people—all current or former employees of Defendants—may be asked to provide deposition testimony for both factual purposes and, later, under Federal Rule of Civil Procedure 30(b)(6). *Id.* at 1–2. To facilitate efficiency, Defendants suggest, the court should order that the nine individuals may not be deposed until Plaintiffs provide Defendants with a list of matters on which they will seek Rule 30(b)(6) testimony. *Id.* That way, each person will be asked only to sit for a single deposition.

After reviewing the parties’ filings and relevant authority, the court declines to grant Defendants’ motion. The Federal Rules do not require Plaintiffs to disclose their Rule 30(b)(6) topics before noticing fact depositions. *See* Fed. R. Civ. P. 26(d)(3). And while the court could order Plaintiffs to do so, Defendants have not provided concrete reasons justifying a departure from this general rule. Thus, Defendants’ motion (D.E. 114) is denied. Each party will bear its own costs.

Dated: November 29, 2022

A handwritten signature in black ink, reading "Robert T. Numbers, II". The signature is written in a cursive style with a horizontal line underneath.

Robert T. Numbers, II
United States Magistrate Judge